

**Testimony**  
**Michigan Senate Committee on Campaign and Election Oversight**  
**March 28, 2007**

Chairman McManus and members of the Committee, thank you for the opportunity to speak. I am Larry Crittenden of the Michigan Association of Broadcasters. I represent almost 400 local radio and television stations around the state of Michigan.

We have reviewed Senate Bill 285 and respectfully request that you consider a clarification to the penalty clause of the existing statute. After the word “person” we suggest addition of the phrase “responsible for the content of the printed matter or radio or television paid advertisement” before continuing with “who knowingly violates....”

Here are our reasons for the requested clarification:

- Political campaigns have become increasingly contentious as candidates, campaign committees and issue advocates have developed messages, claims and counter-claims that they deliver in all manner of campaign communications, including radio and television advertisements.
- Sources of funding for campaigns have become more diverse, and in some cases, more controversial, and subject to more stringent disclosure requirements.
- By leaving the existing statute intact, you could, by some interpretations, subject broadcasters to the misdemeanor penalties that are intended for candidates or committees that fail to provide proper disclosure in their advertising.
- While broadcasters are always ready to comply with state law, we are not in a position to play “political campaign cop” among competing candidates or committees. We simply do not have the authority or the means to investigate sources of campaign funds.
- Further, broadcasters already have to place information about local, state and federal political advertising in their Public File, as required by the Federal Communications Commission. Missing or incomplete information in a Public File can subject a broadcaster to hefty fines or even problems with license renewal. Broadcasters also have to comply with additional requirements of the Federal Election Commission when dealing with candidates for federal office.

In summary, broadcasters believe that the public is served best by lively, active campaigns that include not only political advertising, but also debates, rallies, public appearances and other opportunities for the exchange of ideas. While broadcasters are eager to enable these activities, we are concerned about the possibility of being subjected to legal penalties that are intended for those who direct political campaigns.

Thank you for your time. I would be pleased to answer any questions.